

REMARKS:

Status Of Claims

Claims 14-20 and 24-27 were previously pending. Claims 14, 16, and 24 have been withdrawn. Thus, claims 14-20 and 24-27 are currently pending in the application with claim 14, 18, and 24 being independent.

Office Action

In the Office Action, the Examiner rejected claims 16 and 17 under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 16 has been amended to overcome this rejection.

The Examiner also rejected claims 14-20 and 24-27 under 35 U.S.C 103(a) as being unpatentable over Chang, U.S. Patent Application Publication No. 20020113451, in view of Hashida, U.S. Patent Application Publication No. 20030055556. Applicant respectfully submits that the currently pending claims distinguish the present invention over Chang, Hashida, and the other prior art references taken alone or in combination.

Specifically, claim 14 now recites "a mounting assembly mounted in an open port of a vehicle resulting from removal of a non-navigational component, the mounting assembly mounting the navigational device and generally linearly raising and lowering the mounted navigational device between at least two linear viewing positions, such that in a first, raised position, only a lower portion of the display may be viewed, and in a second, lowered position, substantially all of the display may be viewed". In contrast, rather than being

linearly raised and lowered, Chang clearly teaches his display being **rotated** between raised and lowered positions. Hashida doesn't disclose details of how his navigation device is mounted, and therefore cannot cure Chang's defect. As a result, no combination of Chang and/or Hashida discloses, suggests, or makes obvious "a mounting assembly mounted in an open port of a vehicle resulting from removal of a non-navigational component, the mounting assembly mounting the navigational device and generally linearly raising and lowering the mounted navigational device between at least two linear viewing positions, such that in a first, raised position, only a lower portion of the display may be viewed, and in a second, lowered position, substantially all of the display may be viewed", as claimed in claim 14.

Claim 18 recites "a mounting assembly ... configured such that the housing may be linearly raised and lowered between at least two linear viewing positions, wherein in a first, raised position, approximately one-thirds to three fourths of the housing is positioned within the open port, and in a second, lowered position, approximately none to one-half of the housing is positioned within the open port, and further such that the housing may be pivoted left and right relative to the open port". An example of the claimed configuration is shown and described in the specification, as filed. In contrast, as discussed above, neither Chang and/or Hashida teaches a mounting assembly configured in this manner. Rather, Chang is configured only to allow his display to rotate. As a result, no combination of Chang and/or Hashida discloses, suggests, or makes obvious "a mounting assembly ... configured such that the housing may be linearly raised and lowered between at least two

linear viewing positions, wherein in a first, raised position, approximately one-thirds to three fourths of the housing is positioned within the open port, and in a second, lowered position, approximately none to one-half of the housing is positioned within the open port, and further such that the housing may be pivoted left and right relative to the open port", as claimed in claim 18.

Claim 24 now recites "a mounting assembly mounted in an open port of a vehicle resulting from removal of a non-navigational component, the mounting assembly including a support plate riding up and down a generally linear stem to generally linearly raise and lower the mounted navigational device among three generally linear viewing positions, such that in a first, stowed position, substantially none of the display can be viewed, in a second, intermediate position, only a lower portion of the display may be viewed, and in a third, lowered position, substantially all of the display may be viewed". As discussed above, neither Chang and/or Hashida teaches a mounting assembly configured in this manner. Specifically, neither Chang and/or Hashida teaches a mounting assembly "including a support plate riding up and down a generally linear stem to generally linearly raise and lower the mounted navigational device". As a result, no combination of Chang and/or Hashida discloses, suggests, or makes obvious "a mounting assembly mounted in an open port of a vehicle resulting from removal of a non-navigational component, the mounting assembly including a support plate riding up and down a generally linear stem to generally linearly raise and lower the mounted navigational device among three generally linear viewing positions, such that in a first, stowed position, substantially none of the

display can be viewed, in a second, intermediate position, only a lower portion of the display may be viewed, and in a third, lowered position, substantially all of the display may be viewed", as claimed in claim 24.

As discussed above, the cited prior art fails to teach each and every claim limitation. Furthermore, the cited prior art references fail to provide the requisite suggestion or motivation for making the Examiner's proposed combination, much less any modification that might render the pending claims obvious. As a result, the Examiner has failed to properly establish a *prima facie* case of obviousness.

The remaining claims all depend directly or indirectly from independent claims 14, 18, or 24, and are therefore also allowable.

Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 501-791. In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited.

Respectfully submitted,

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